Revenue (1936) Department.

No. SERIES.

G.O. No. 1909.

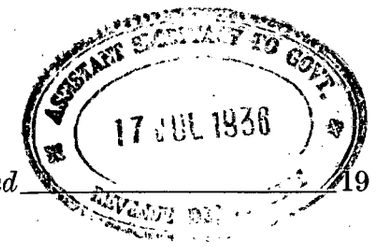
DATED 28/8/36

[Despatch Abstract.]

Cattle Trespass Act – Bellary – Hospet taluk – Toranagallu etc Village Artillery and Ammunitions & Remarks – Enhanced rates of fines – Notification Published

C.F. 31—13,206—14-12-35.

Revenue **DEPARTMENT.**



CURRENT No. 2854E

Received ____ 19 *Registered* 17-7-36. 19

Subject.

Cattle Trespass Act - (Bellary) - Hospet Taluk - Toranagallu etc., villages - Artillery and Commissariat Rumnahs - Provisions of Section 12 of the Act - Proposals submitted -

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Refce.C---No.2762/36-2,

Station Madras, *Dated the* 11th July 19 36

From

T.N.S. Raghavan, Esq., I.C.S.,

Addl. JOINT Secretary,

Board of Revenue.

C.A.Henderson, Esquire, V.D., I.C.S., Commissioner of Land Revenue.

Read the following papers:-

Letter from T.Bhaskara Rao, Esquire, I.C.S., Collector of Bellary, Ref.C.No.5968/36-1, dated the 30th April 36

II

Board's Reference No.C.2762/36-1, dated the 15th May 1936.

REFERENCE.

Cattle Trespass Act - (Bellary) - Hospet Taluk Toranagallu village - Artillery and Commissariat Rumnahs - Provisions of section 26 of the Act - further report called for -

The Collector's attention is invited to Section 12 of the Cattle Trespass Act, 1871, and to Appendix 'E' of the Special Funds Code and he is requested to report whether the provisions of Section 12 of the Act may not be applied in the case. If it can be applied, he is request-ed to submit a revised draft notification specifying the kinds

the kinds of animals for which enhanced rates of fines are to be imposed, and the rate of fine for each kind of animal.

2. The Collector has not submitted the sketch referred to in his letter read above. He is requested to submit the same.

(Sd)K.Rangaswami Mudaliar,
Assistant Secretary.

To the Collector of Bellary.

III

Letter from T.Bhaskara Rao, Esquire, I.C.S., Collector of Bellary, D.Dis.No.5968/35-B.1, dated the 30th June 1936.

REFERENCE.

Submitted to the Government.

2. The Board supports the Collector's proposal contained in his second letter read above.

for Addl. Joint Secretary.

To the Secretary to Government, Revenue Department, with copies of Collector's letters, a copy of the draft notification, and a sketch to be returned.

c.n.n./13-7-1936.

3/

P3419-Hunagasa CS Vol I
Ref 1.8.36

NOTIFICATION.

In exercise of the powers conferred by Section 12 of the Cattle Trespass Act, 1871 (I of 1871) as amended by the Cattle Trespass Amendment Act 1921, and in modification of the scale of fines prescribed in Notification No.208 dated the 4th May 1932 published on page 840 of Part I of the Fort Saint George Gazette dated the 10th May 1932 so far as - Vaddu, Toranagallu, Yarrabanahalli, Chikkantapura and Kodalu Lingadahalle and Bannihatti villages of Hospet - Taluk are concerned, the Governor in Council is hereby pleased to direct that with effect from the 1st Oct '36. the fines that the pound keepers shall levy for every head of cattle specified below which may be seized within the limits of the Local area specified here under and impounded in the cattle pound shall be the following:-

Name of the locality.	Kind of animal.	Rate of fine.
Artillery and Commissariat.	Buffaloes.	Rs.3/-
Rumnahs in Vaddu, Toranagallu Yarabanahalli, Chikkantapura Kodalu Lingadahalli, and Bannihatti villages of Hospet Taluk, comprising an area of 6026-68 acres.	Cows and bulls. or Calf and ass.	Rs.1-8-0 Rs.0-12-0
	Sheep, goats, including lambs and kids.	Rs.0-6-0

c.n.n./13-7-1936.

5/

C.F. 32.

In reply, please quote number, date and short title.*

..... DEPARTMENT

Received *Registered*.....

From (Name) T. Bhaskara Rao Esq., I.C.S.,

(Designation) Collector

Post Box ....., (Station) Bellary

Telegraphic Address.....

To

The Secretary to the Commissioners,
Board of Revenue,
Madras.

Ref.C. *No.* 5968/36 B-1, *dated* 30-4-1936 19 .

Sir,

*

Enclosures
Index

Spare Copies

Cattle Trespass - Hospet taluk - Tornagal village - Artillery and Commissariat Rumnahs - Provisions of Section 26 of the Cattle Trespass Act - Extension to cattle generally - Recommended.

Enclosed is a sketch showing the survey numbers forming the Military Grass Farm at Tornagal known as Artillery and Commissariat Rumnahs. The Assistant Director of Grass Farms, Poona brings to notice that the adjoining villagers have been resorting to illicit grazing of their cattle so frequently and to such an extent that it has become impossible to adequately deal with the offenders and to put down the havoc caused by them. Some complaints were filed against the cattle owners under Section 26 of the Cattle Trespass Act; but they could not be proceeded with in the absence of a special notification by the local Government extending the provisions of the above section to cattle generally. As the area is under the occupation of the Military authorities the provisions of the Madras Forest Act also cannot be applied. Such offences can, however, be tried under the Indian Penal Code. But it is difficult to prove that the cattle owners acted with criminal intention. For these reasons the Assistant Director of Grass Farms, Poona requests that Section 26 of the

Cattle Trespass Act may be extended to cattle generally in respect of the above area. I agree with him and recommend that the Government may be requested to notify that, in respect of the above area, the first paragraph of Section 26 of the Cattle Trespass Act shall be read as if it had reference to cattle generally instead of to pigs only and as if the words "fifty rupees" were substituted for the words "ten rupees"

~~2. A draft notification is enclosed.~~

Matty.
1-5/56.
For Collector.

Rw Deptt

Cattle Trespass Rule Rules Bellary, Hospet Taluk - Toranagallu etc Villages - Artillery and Commissariat Ruminals - Provisions of Sec 12 of the Act - Proposals.

C.N.o 02854 G/36. From the Board of Revs

Rc: C: 2762/186-2-D/17.7.36.

To U.S.

I have seen the letter from the Collector of Bellary at Pp 5-7 CF and the Board's order thereon at Pp 1-2 CF. In the circumstances detailed the ~~notification~~ ~~as proposed by the Board~~ proposal to levy enhanced rate of fines on cattle found trespassing into the Bellary Grass Farm at Toranagal known as Artillery and Commissariat Ruminals (Hospet Taluk, Bellary Dt) may be approved. A draft order is submitted for approval. It may be sent to Legal Deptt U.o for scrutiny of the notification. Subject to orders the enhanced rates may come into force from 1st October 1936.

p 3 CF as amended in Ley at.

Thro 27/7

Rev 22.7.36

B 23.7.36

Through D

In their letter No. 979 L/A34 dated 16th August 1933 the G of I sanctioned the transfer to the Local

p 13 of Ld No 1604 Rw of (L) 6-9-33

of the Cavalry remnants in Yerabanahalli Chikkantapur and Appulapuram villages measuring about 1817.32 acres of which a major part was leased to the Chikkantapur Forest Panchayat on a rental of Rs 300/- per annum for grazing purposes. ~~Both the areas specified in the notification relate only to the Artillery and Ammunition Remnants it does not appear that it includes a portion of the area transferred to the Forest Dept.~~ The question relating to the ownership of the Remnants would appear to have no bearing to the publication of the proposed notification under the Cattle Trespass Act, in as much as the Asst. Director of the Grass Farms Poonch has given his assent in the matter. It need not therefore be considered in greater detail now.

para 2 at pp 41-42 and p 44 of G.O. No 2040-41 / 9.10.24 at (G)

For a distinction between Cavalry Remnants and Artillery & Ammunition Remnants please see the notes at pts 2 & 3 of G.O. No. 1276 / 24.6.24 at (R)

25/7/26
D.R.D
26.7.26

The area in the notification seems to include the ~~the~~ area managed by the Chikkantapur Forest Panchayat. There is no harm in levying the rates mentioned in the notification

in respect of Cattle grazing in the forest without permits. The notification may therefore stand. I can personally vouch for the larger extent of illicit grazing in forest panchayats in the Hosur division.

29/7
S.
31.7.36

Revenue 2854 E/36-1
31.7.36

LEGAL DEPARTMENT.

The intention, it is presumed, is to modify the previous notification No.208 only so far as it relates to the cattle specified in the Schedule which are found trespassing into the Artillery and Commissariat Rumnahs and which are impounded in the pounds established in the said areas. On this basis, the notification may be recast as follows:-

Notification.

" In exercise of the powers conferred by section 12 of the Cattle Trespass Act, 1871(I of 1871) and in supersession of so much of Revenue Department Notification No. 208, dated the 4th May 1932, published at page 840 of Part I of the Fort St. George Gazette, dated the 10th May 1932, as relates

to such cattle of the description mentioned in the Schedule below, as are found trespassing into the Artillery and Commissariat Rumnahs in Vaddu, Toranagallu, Yarabanahalli, Chikkantapuram, Kodalu Lingadahalli and Bannihatti villages in the Hospet taluk, Bellary district, (comprising an area of 6026.68 acres) and impounded in the pounds in the aforesaid Rumnahs. the Governor in Council is hereby pleased to notify that with effect on and from the 1st October 1936 the pound-keepers at the pounds in the aforesaid Rumnahs shall levy, for every head of cattle mentioned in column (1) of the Schedule below, a fine in accordance with the scale specifie in the corresponding entry in column (2) thereof."

Schedule

Description of cattle. (1)	Amount of fine leviable per head of cattle. (2)
Buffalo	Three Rupees.
Cow or bull	One Rupee and eight annas.
Calf or ass	Twelve Annas.
Sheep, goat, lamb or kid.	Six Annas.

MP.
11-8-36

S
Rev
13/8

Rev

Rev Deptt

Legal 1773-1
13-8-36

Please see the Legal Deptt's

note at pp 3-4 above. The presumption expressed in the Legal Deptt note at p 3 above is correct.

2 The draft order ~~which~~ as has been amended with reference to the Legal note at pp 3-4 ante. For orders whether it may issue

14.8.06 Please see A on the previous page. There are no pounds in the Rumnahs. The notification may be modified as follows in this respect

15-8-06

"... and impounded in the pound serving the area comprised in the aforesaid Rumnahs ... the pound keepers at the pounds serving the area comprised in the aforesaid Rumnahs shall.

Please see 4 of Act I of 1871. Vide Act I of 1871 Sec 17

MW 18/8

S. Revise the draft accordingly — for circulation

18.8.06

To U.S

The draft order, as revised above, is

typed and placed below.

Secy
18.8.26
18
20/8/26

At the instance of the Asst. Director of Grass Farms, Poona, it is proposed to publish the notification in the draft below and thus apply S. 12 of the Cattle Trespass Act in order to prevent ~~the~~ illicit grazing in the Military Grass Farm at Torna gal, in the Bellary Dt.

The draft is for approval.

21/8
S.
24.8.26

27/8

Scott. II-5 (b)—5,000—16-12-32.

9/28F

Revenue **DEPARTMENT.**

	Date.	Initials.
When received for Fair-copying.		
When copied ...		
When examined ...		
When signed ...		
When despatched ...		

Issued 27.8.32

READ AGAIN G.O No. 962 Revenue dated 4--5--1932. 193 (S)

" " " " " 193

READ ALSO :—

C. No 2854 E/36. From the Board of Revenue. No. C.2762/36-2. Refce. dated 11--7-- 193 6.

" " " " " " 93

" " " " " " 193

ORDER. **No. 1909 dated 28.8.32 193**

Ms.

The following notification will be published in the Fort St. George Gazette and in the Bellary District Gazette.

NOTIFICATION.

In of the powers conferred by section 12 of the Cattle Trespass Act, 1871 (I of 1871) and in supersession of so much of Revenue Department Notification No.208, dated the 4th May 1932, published at page 840 of Part I of the Fort St. George Gazette

dated the 10th May 1932, as relates to such cattle of the description - mentioned in the Schedule below, as are found trespassing into the Artillery and Commissariat Rumnahs in the Vaddu, Toranagallu, Yarabanahalli, Chikkantapuram, Kodalu, Lingadahalli and Bannihatti villages in the Hospet taluk, Bellary district, (comprising an area of 6026-68 acres) and impounded in the pounds serving the area - comprised in the aforesaid Rumnahs, the Governor-in-Council is hereby pleased to notify that with effect on and from the 1st October 1936, the pound keepers at the pounds serving the area comprised in the aforesaid Rumnahs shall levy, for every head of cattle mentioned in column (1) of the Schedule below, a fine in accordance with the scale specified in the corresponding entry in column (2) thereof.

Schedule.

Schedule.

Description of cattle. (1)	Amount of fine leviable per head of cattle. (2)
Buffalo.	Three Rupees.
Cow and bull.	One Rupee and eight annas.
Calf or ass.	Twelve annas.
Sheep, goat, lamb or kid.	Six annas.

21/8

24.8.26

19.8.26
20/8/26

To

The Board of Revenue,
(with a sketch returned).

" S.G.P. for publication of notification.

" Legal Department.

Post
Messenger
's initials.